

5.0 PLANNING CONSIDERATIONS

5.1 ISSUES NOT ADDRESSED

The following issues were raised during the scoping process but will not be addressed in the plan. Below is a list of these issues and a rationale of why they will not or cannot be addressed.

5.1.1 Congressional Wilderness Designation

Wilderness designation can only occur through an act of the U.S. Congress. The BLM was directed under the Section 603 of the Federal Land Policy and Management Act (FLPMA) of 1976 to study all lands under its jurisdiction and make recommendations to Congress regarding their suitability for wilderness designation. The BLM completed this effort for the King Range in 1988 with its report, “Wilderness Recommendations, Arcata Resource Area, King Range WSA (Wilderness Study Area) and Chemise Mountain WSA.” The BLM does not have the authority to make the final decision regarding whether to designate these areas as Wilderness, or how much acreage to include under the designation; these decisions require Congressional legislation. All lands in the KRNCA that meet minimal requirements for wilderness designation are administratively protected as Wilderness Study Areas. The BLM will continue to manage the WSAs to protect their wilderness values until Congress makes a final decision regarding designation.

In addition, the BLM is authorized to study new potential wilderness outside of the existing WSAs (for example, newly acquired lands, lands where resource conditions have reverted to a higher level of naturalness etc.) under Section 202 of FLPMA, and will do so in this plan.

5.1.2 Motorized Vehicle Use on the Beach

The decisions to manage the west slope backcountry for non-motorized use will be carried forward as existing decisions and not readdressed in this plan. A rationale for this decision is discussed in Section 4.3.2 below.

5.1.3 Land Acquisitions Outside of the Immediate King Range Area

The Management Plan update will identify criteria for land tenure adjustments (acquisition and disposal) on lands both within the King Range and in the immediate King Range area. Other BLM public lands in northwest California are managed under the Arcata Resource Management Plan (RMP) which lists criteria and priorities for acquisitions.

5.1.4 Giving Local Residents Priority for Public Access and Contracts

Plan decisions must provide fair and equitable access to public lands for all citizens, and cannot be discriminatory based on location of residence. Therefore, decisions regarding programs or policies such as recreation use permits, site reservations, commercial permits etc. must be equitable. The same is true for federal contracts, although issuance of contracts is an implementation action and is beyond the scope of the plan.

The Management Plan can incorporate or encourage opportunities for local residents to participate in area management, development of interpretive tours for local schools, provision of facilities for community functions, and other community-based actions.

Also, in implementing the updated plan, the BLM will seek opportunities through the federal budget process and other special programs to encourage local community involvement and benefits from King Range management. This has already been done extensively at the King Range. For example, the “Jobs in the Woods” program has allowed for cooperation and funding of local community groups and contractors to complete watershed restoration work.

5.1.5 Estuary Water Export

Water rights or diversions for rivers are under the jurisdiction of the state and are outside the scope of the plan. The plan will address criteria for the issuance of rights-of-way (including those for water pipelines) across public lands in the King Range. Any future diversion proposal that crosses public lands would also require BLM participation in an analysis of environmental impacts under the National Environmental Policy Act (NEPA).

5.1.6 Private Land (Inholder) Access, Including Air Access to Big Flat

Access provisions to private inholdings are based on legal rights associated with each parcel and, therefore, are addressed individually with each landowner, and not at a planning level. Access provisions must ensure reasonable access to private properties consistent with federal laws and policies including the King Range Act.

5.1.7 Offshore Drilling

Decision-making authority regarding offshore drilling rests with the State of California and the U.S. Government’s Mineral Management Service and is not under the authority of the BLM, so it is outside the scope of this plan. The BLM would comment on potential impacts from proposed leasing/drilling to the King Range at the appropriate time if leasing were proposed.

5.1.8 Military Flyovers

The Department of Defense (DOD) and Federal Aviation Administration (FAA) have jurisdiction over the airspace above the KRNCA. If routine military flights are proposed, the BLM will work administratively with the FAA and DOD at that time to minimize the effects of these flyovers on the area.

5.1.9 Marine Sanctuary

The plan will not address the formal designation of a coastal fish or marine sanctuary, as intertidal and marine resources are under the jurisdiction of other state and federal agencies including the California Department of Fish and Game, the California Coastal Commission, the State Land Board and the National Marine Fisheries Service.

5.2 MULTI-JURISDICTIONAL ISSUES

The below issues are beyond the BLM's management authority to fully implement, but directly affect the KRNCA and will be addressed in the plan. The BLM will seek cooperation with those agencies with management authority to help address the issues. Plan outcomes will serve as recommendations and opportunities to work with the appropriate agency or entity to implement.

5.2.1 Boat-in and Jet-ski Access to the Backcountry Coast

The State of California has jurisdiction of the intertidal zone (beach) and immediate offshore waters. The BLM does manage motor vehicle use on the beach intertidal zone through a permit from the State Lands Commission, and will work with the state in addressing this issue.

5.2.2 Marine Resource Issues (Protection of Tidepools and other Marine Ecosystem Values)

Intertidal and marine resources are under the jurisdiction of several state and federal agencies including the California Department of Fish and Game, the California Coastal Commission, the State Lands Commission and the National Marine Fisheries Service. The plan will include recommendations regarding cooperating with the appropriate agencies to manage intertidal resources adjoining the KRNCA.



5.2.3 Wildlife Reintroductions (Elk, Fishers, Martins, Condors)

The California Department of Fish and Game and the U.S. Fish and Wildlife Service have jurisdiction over wildlife in the KRNCA, while the BLM manages habitat. The BLM will work with these agencies to determine if suitable habitat exists for reintroduction efforts and to determine potential implementation strategies.

5.3 EXISTING MANAGEMENT DECISIONS TO BE CARRIED FORWARD

The KRNCA Management Plan update is building upon a 29-year history of management, planning and implementation in the KRNCA. Figure 2 highlights some of the major plans and policies that have led to the present management of the area. The summary below highlights the major decisions that will be carried forward into the new plan. A complete plan evaluation with more detailed descriptions of plans and decisions is available from the BLM Arcata Office upon request.

5.3.1 Wilderness

Wilderness studies were completed for all BLM lands as a requirement under Section 603 of the Federal Land Policy and Management Act (FLPMA), and recommendations have been formally submitted from the President to Congress. Therefore, these decisions cannot be changed except by Congressional action. For the KRNCA, 37,240 acres are being managed in two Wilderness Study Areas (WSAs) until Congress makes the final wilderness determination through legislative action. Note that the BLM is authorized to study new potential wilderness outside of the existing WSAs (for example, newly acquired lands, lands where resource conditions have reverted to a higher level of naturalness etc.) under Section 202 of FLPMA and will do so in this plan.

Rationale: The BLM was directed under the Section 603 of the Federal Land Policy and Management Act of 1976 to study all lands under its jurisdiction and make recommendations to Congress regarding their suitability for wilderness designation. The BLM completed this effort for the King Range in 1988 and the results are published as “Wilderness Recommendations, Arcata Resource Area, King Range WSA (Wilderness Study Area) and Chemise Mountain WSA.”

5.3.2 West Slope Motorized Vehicle Access

Decisions closing roads on the western coastal slope, including the Smith-Etter road west of the Telegraph Ridge Gate, will be carried forward in the plan. The BLM will reevaluate all other roads identified as “open, limited, or closed” to vehicle use in the 1986 Transportation Plan. The OHV designations will not affect private inholder access. BLM will continue to work with private inholders on an individual basis to provide reasonable access. Public land acquisitions made since the 1986 Transportation Plan was completed will also be evaluated for vehicle use designations.

Rationale: Keeping the west slope non-motorized is consistent with the management vision for the King Range and WSA management requirements, as well as state Coastal Zone management. Also decisions are consistent with the King Range Act, area management goals and the draft KRNCA Management Plan update planning criteria recognizing the uniqueness of the west slope of the King Range NCA as a primitive backcountry coastline and giving priority to actions that complement or enhance these values.

Vehicle designations are consistent with BLM Manual Section 8342 in that they minimize OHV use in areas with extreme natural or man-made hazards (such as abandoned roads that BLM can no longer maintain) and that they minimize damage to cultural and natural resources. The

designations in the original Transportation Plan are now 16 years old, and so should be reevaluated as per road safety, appropriate use levels, resource protection and effectiveness of road closures/limits.

The Cooskie Creek and Johnny-Jack Ridge roads in the northern portion of the King Range are designated as “limited” use routes in the Transportation Plan, but are not accessible to the general public (i.e., the public must gain permission to cross private property which has no public easements or rights-of-way to gain access to the open roadways). Strategies for equitable management of these segments will be addressed in the plan.

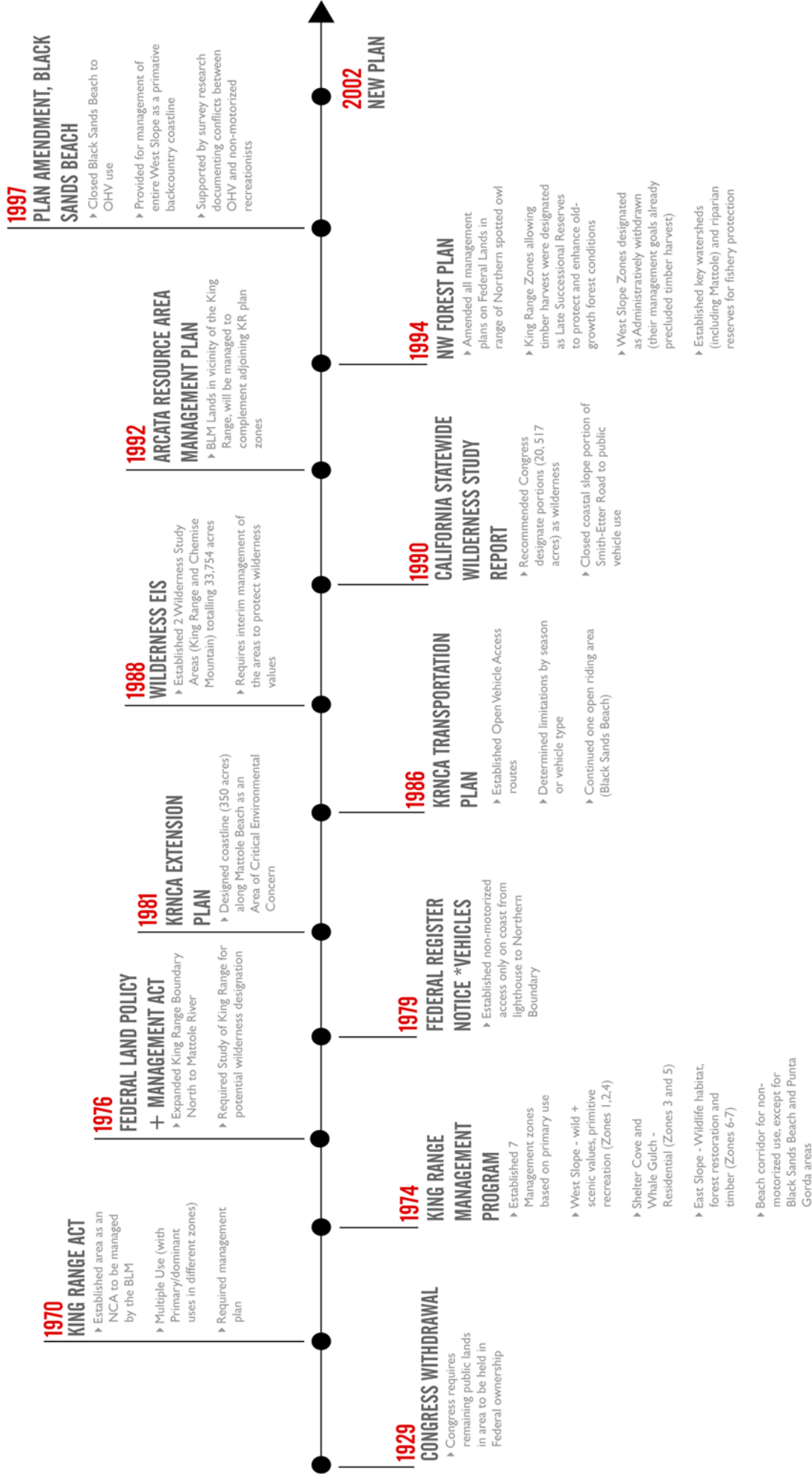
5.3.3 Northwest Forest Plan (NWFP)

BLM will carry forward the land allocations identified in the Northwest Forest Plan (late-successional reserves, riparian reserves, matrix and administratively withdrawn lands) but will evaluate boundaries for potential adjustment. The standards and guidelines outlined in the NWFP will serve as forest land health standards for this plan. The allocation acreage figures for the King Range and adjoining lands are:

- Late-successional reserves: 45,437 acres
- Administratively withdrawn: 15,688 acres
- Matrix: 142 acres (Honeydew Creek Campground parcel)

Rationale: Consideration of land allocation boundary changes in the plan will allow for innovative forest health practices within the guidelines of the NWFP. Any proposed changes would be forwarded through the Forest Plan Regional Ecosystem Office for approval.

MAJOR LEGISLATIVE & PLANNING ACTIONS THAT SHAPED CURRENT MANAGEMENT OF KRNCA



5.3.4 Rangeland Health Standards and Guidelines

Statewide standards and guidelines were adopted in 1997 for managing grazing on public lands administered by the BLM in California. BLM is required by statewide policy to use these standards and guidelines for evaluating rangeland health.

5.4 SPECIAL DESIGNATIONS

The public requested that the BLM look at possible additional acreage to be added to the Wilderness Study Areas and an evaluation of streams for possible Wild and Scenic Rivers designation. No comments/nominations were received for Areas of Critical Environmental Concern (ACECs) or Research Natural Areas (RNAs). However, the planning team will still consider potential designations of this type.

5.4.1 Wilderness Study Areas (WSAs)

The BLM is required to study new potential wilderness outside of the existing WSAs under Section 202 of FLPMA. BLM will conduct a wilderness study inventory of all newly acquired public lands adjoining the King Range (Mill Creek, Squaw Creek, etc.) during this planning process to determine if they meet the criteria to be added as new Wilderness Study Areas. Also, existing lands outside the WSAs will be re-inventoried to determine if resource conditions have changed significantly to warrant their addition as WSAs.

5.4.2 Wild and Scenic River System

All streams within the King Range formal plan decision area will be studied to determine eligibility and suitability for possible inclusion in the National Wild and Scenic River System under Public Law 90-542 (Wild and Scenic Rivers Act). The final decision for Wild and Scenic River designation rests with Congress.

5.4.3 ACECs/RNAs

Although no formal public nominations were received for new Areas of Critical Environmental Concern or Research Natural Areas, the planning team will consider these administrative designations to give special management attention to areas with the most significant and sensitive resource values within the KRNCA. ACECs are designated to protect and call management attention to resource values (or threats) that have greater than local significance and require special management attention and resource use limitations. Currently, the KRNCA has one ACEC along the coastal corridor at Mattole Beach to protect the significant cultural values.